

Local Government, 3/13/87 Do. P. 4/2 (p. 1066)

House File 410

LOCAL GOVERNMENT: A. Miller, Chair; Taylor and Goodwin

MAR 5 '87

HOUSE FILE 410

BY COMMITTEE ON LOCAL GOVERNMENT

Place On Calendar

(Formerly House Study Bill 148)

Passed House, Date 3-10-87 (p. 572) Passed Senate, Date 4-13-87 (p. 1241)

Vote: Ayes 95 Nays 1 Vote: Ayes 47 Nays 0

Approved June 5, 1987

Revised House 4-27-87 (p. 1665)  
90-6

A BILL FOR

1 An Act relating to the interest of a city officer or employee in  
2 contracts for the purchase of goods and services by a city.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 410

1 Section 1. Section 362.5, subsection 11, Code 1987, is  
2 amended to read as follows:

3 11. Contracts not otherwise permitted by this section, for  
4 the purchase of goods or services by a city having a  
5 population of more than two thousand five hundred but less  
6 than ten thousand, which benefit a city officer or employee,  
7 if the purchases benefiting that officer or employee do not  
8 exceed a cumulative total purchase price of one thousand  
9 dollars in a fiscal year.

10 Sec. 2. Section 362.5, Code 1987, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 12. Contracts not otherwise permitted by  
13 this section, for the purchase of goods or services by a city  
14 having a population of two thousand five hundred or less,  
15 which benefit a city officer or employee, if the purchases  
16 benefiting that officer or employee do not exceed a cumulative  
17 total purchase price of two thousand five hundred dollars in a  
18 fiscal year.

19 EXPLANATION

20 This bill increases the dollar amount of purchases of goods  
21 and services benefiting a city officer or employee, which may  
22 be purchased by a city having a population of two thousand  
23 five hundred or less. The total value of purchases in a  
24 fiscal year is increased from \$1,000 to \$2,500.

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HOUSE FILE 410

S-37

1 Amend House File 410, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting after line 18 the  
4 following:

5 "Sec. \_\_\_\_ . Section 372.13, subsection 8, Code  
6 1987, is amended to read as follows:

7 8. By ordinance, the council shall prescribe the  
8 compensation of the mayor, council members, and other  
9 elected city officers, but a change in the  
10 compensation of the mayor shall not become effective  
11 during the term in which the change is adopted, and  
12 the council shall not adopt such an ordinance changing  
13 the compensation of the mayor or council members  
14 during the months of November and December immediately  
15 following a regular city election. A change in the  
16 compensation of council members shall become effective  
17 for all council members at the beginning of the term  
18 of the council members elected at the election next  
19 following the change in compensation. Except as  
20 provided in section 362.5, an elected city officer  
21 shall not receive any other compensation for any other  
22 city office or city employment during that officer's  
23 ~~term-of tenure~~ in office, but may be reimbursed for  
24 actual expenses incurred. However, if the mayor pro  
25 tem performs the duties of the mayor during the  
26 mayor's absence or disability for a continuous period  
27 of fifteen days or more, the mayor pro tem may be paid  
28 for that period such compensation as determined by the  
29 council, based upon the mayor pro tem's performance of  
30 the mayor's duties and upon the compensation of the  
31 mayor."

32 2. Title page, line 1, by striking the word "the"  
33 and inserting the following: "city officers and  
34 employees, by authorizing an".

35 3. Title page, line 2, by inserting after the  
36 word "city" the following: "and by providing for the  
37 employment of a former city council member by a city".

S-3437

Filed April 6, 1987

BY C. JOSEPH COLEMAN

*Adopted 4/13/87 (p. 1241)*

SENATE AMENDMENT TO HOUSE FILE 410

H-3771

1 Amend House File 410, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting after line 18 the  
4 following:

5 "Sec. \_\_\_\_ . Section 372.13, subsection 8, Code  
6 1987, is amended to read as follows:

7 8. By ordinance, the council shall prescribe the  
8 compensation of the mayor, council members, and other  
9 elected city officers, but a change in the  
10 compensation of the mayor shall not become effective  
11 during the term in which the change is adopted, and  
12 the council shall not adopt such an ordinance changing  
13 the compensation of the mayor or council members  
14 during the months of November and December immediately  
15 following a regular city election. A change in the  
16 compensation of council members shall become effective  
17 for all council members at the beginning of the term  
18 of the council members elected at the election next  
19 following the change in compensation. Except as  
20 provided in section 362.5, an elected city officer  
21 shall not receive any other compensation for any other  
22 city office or city employment during that officer's  
23 ~~term-of~~ tenure in office, but may be reimbursed for  
24 actual expenses incurred. However, if the mayor pro  
25 tem performs the duties of the mayor during the  
26 mayor's absence or disability for a continuous period  
27 of fifteen days or more, the mayor pro tem may be paid  
28 for that period such compensation as determined by the  
29 council, based upon the mayor pro tem's performance of  
30 the mayor's duties and upon the compensation of the  
31 mayor."

32 2. Title page, line 1, by striking the word "the"  
33 and inserting the following: "city officers and  
34 employees, by authorizing an".

35 3. Title page, line 2, by inserting after the  
36 word "city" the following: "and by providing for the  
37 employment of a former city council member by a city".

H-3771 FILED APRIL 15, 1987 RECEIVED FROM THE SENATE

*House concurred 4/27/87 (p. 166)*

NSB 148

LOCAL GOVERNMENT

*now*

HOUSE FILE 410

BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the interest of a city officer or employee in  
2 contracts for the purchase of goods and services by a city.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SUB COMMITTEE ASSIGNMENTS

CHAIR: *Peters*

COMMITTEE: *Local Government*

*2/19/87*

148

S.F. \_\_\_\_\_ H.F. \_\_\_\_\_

1 Section 1. Section 362.5, subsection 11, Code 1987, is  
2 amended to read as follows:

3 11. Contracts not otherwise permitted by this section, for  
4 the purchase of goods or services by a city having a  
5 population of more than two thousand five hundred but less  
6 than ten thousand, which benefit a city officer or employee,  
7 if the purchases benefiting that officer or employee do not  
8 exceed a cumulative total purchase price of one thousand  
9 dollars in a fiscal year.

10 Sec. 2. Section 362.5, Code 1987, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 12. Contracts not otherwise permitted by  
13 this section, for the purchase of goods or services by a city  
14 having a population of two thousand five hundred or less,  
15 which benefit a city officer or employee, if the purchases  
16 benefiting that officer or employee do not exceed a cumulative  
17 total purchase price of two thousand five hundred dollars in a  
18 fiscal year.

19 EXPLANATION

20 This bill increases the dollar amount of purchases of goods  
21 and services benefiting a city officer or employee, which may  
22 be purchased by a city having a population of two thousand  
23 five hundred or less. The total value of purchases in a  
24 fiscal year is increased from \$1,000 to \$2,500.

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HOUSE FILE 410

AN ACT

RELATING TO CITY OFFICERS AND EMPLOYEES, BY AUTHORIZING AN INTEREST OF A CITY OFFICER OR EMPLOYEE IN CONTRACTS FOR THE PURCHASE OF GOODS AND SERVICES BY A CITY AND BY PROVIDING FOR THE EMPLOYMENT OF A FORMER CITY COUNCIL MEMBER BY A CITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 362.5, subsection 11, Code 1987, is amended to read as follows:

11. Contracts not otherwise permitted by this section, for the purchase of goods or services by a city having a population of more than two thousand five hundred but less than ten thousand, which benefit a city officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of one thousand dollars in a fiscal year.

Sec. 2. Section 362.5, Code 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Contracts not otherwise permitted by this section, for the purchase of goods or services by a city having a population of two thousand five hundred or less, which benefit a city officer or employee, if the purchases benefiting that officer or employee do not exceed a cumulative total purchase price of two thousand five hundred dollars in a fiscal year.

Sec. 3. Section 372.13, subsection 8, Code 1987, is amended to read as follows:

8. By ordinance, the council shall prescribe the compensation of the mayor, council members, and other elected city officers, but a change in the compensation of the mayor shall not become effective during the term in which the change is adopted, and the council shall not adopt such an ordinance changing the compensation of the mayor or council members during the months of November and December immediately following a regular city election. A change in the

compensation of council members shall become effective for all council members at the beginning of the term of the council members elected at the election next following the change in compensation. Except as provided in section 362.5, an elected city officer shall not receive any other compensation for any other city office or city employment during that officer's term of tenure in office, but may be reimbursed for actual expenses incurred. However, if the mayor pro tem performs the duties of the mayor during the mayor's absence or disability for a continuous period of fifteen days or more, the mayor pro tem may be paid for that period such compensation as determined by the council, based upon the mayor pro tem's performance of the mayor's duties and upon the compensation of the mayor.

\_\_\_\_\_  
DONALD D. AVENSON  
Speaker of the House

\_\_\_\_\_  
JO ANN ZIMMERMAN  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 410, Seventy-second General Assembly.

\_\_\_\_\_  
JOSEPH O'HERN  
Chief Clerk of the House

Approved June 5, 1987

\_\_\_\_\_  
TERRY E. BRANSTAD  
Governor

HF 410